



Municipal Water

“Take steps to protect the municipal groundwater rights of Idaho cities from curtailment, thus allowing cities and urban economies to continue to grow. Municipal water systems must be consistent, stable, and predictable to ensure this growth and to protect public health.”

Background

Water levels in the Eastern Snake Plain Aquifer (ESPA) have gradually declined since their peak in 1952. This is in large part owing to the combined effects of increased pumping and reduced aquifer recharge. Since 1952, the number of groundwater pumpers has increased. At the same time, the historic practice of flood irrigation which naturally recharged the aquifer gradually has been replaced by sprinkler irrigation. This, combined with prolonged periods of drought and the uncertain effects climate change, have resulted in a need to manage ESPA water levels carefully. Idaho’s prior appropriation doctrine, “first in time, first in right” means that if a senior water right holder isn’t receiving the water they are entitled to, they have the right to make a call on their water from junior water right holders—thus limiting the supply of water for junior users. Because city water rights are often junior to other water rights, a water call by a senior water right holder, such as the Magic Valley’s Surface Water Coalition, can lead to curtailment of junior water rights and adversely affect a city’s ability to supply groundwater for a variety of municipal uses.

What is a “water call?”

Water calls are claims made by senior water right holders when they believe their water supply is being negatively impacted by junior water right holders. If the Idaho Department of Water Resources (IDWR) determines that a water call is justified, the Director can issue a curtailment order, authorizing a state water master to curtail use of the junior water right holders in the affected areas based on the priority date of their water rights.

What role do cities play in declining groundwater levels?

ESPA water measurements indicate that all municipal groundwater use (including all residential, commercial, municipal, and industrial uses within the cities), accounts for less than 3% of total water use in the aquifer. Cities therefore have a very small impact on the overall decline in ESPA water levels.

What is the risk and impact a curtailment order would have on City growth?

Cities reliant upon the ESPA have narrowly avoided potential curtailment orders in the recent past. Both Idaho Falls and Ammon could have been negatively impacted had curtailment orders been issued because both cities have some water rights considered junior to dates that would have been established by the State in the orders. While both cities are making efforts to protect their water rights and reduce water use, a curtailment order could nevertheless require a significant cut in use by both cities. The impact on economic growth—both residential and commercial could be substantial.

Why protect municipalities?

While no one can dispute the importance of agricultural water use in the State of Idaho, cities are where approximately 70% of Idaho citizens live, work, and play, effectively making cities the economic engines of the state. Water is not just vital for current citizens, it is also key in attracting new industry and opportunity for the state. Curtailment, and often even the threat of curtailment, is detrimental to local, regional and state economies. Additionally, municipal, and particularly culinary water use is vital to the health and well-being of our Idaho citizens. Municipal curtailment could result in water system pressures falling below State-regulated limits, potentially resulting in increased boil advisories, reduced confidence in public water systems and adverse health effects to the public.